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SEP 1 4 2004

FACSIMILE COVER SHEET

		Deliver to: <u>Dove, Tracy Mae, USPTO</u>	Art Group:1745							
	Fac	simile No.: <u>703-87</u> 2-9 <u>306</u>	Date: September 14, 2004							
		From: William Thomas Babbitt, Reg. 1	No. 39,591							
O	ur [Docket No.: 3364P021	Number of pages 8 including this sheet.							
Application No.: <u>09/429,262</u>			Filing Date: 10/29/1999							
,			Docket Due Date(s): 10/10/2004							
Enclosed are the following documents:										
THE PERSONAL PROPERTY OF THE PERSONAL PROPERTY	×	Amendment: Response (4 pgs)	☐ Issue Fee Transmittal							
		Appeal Brief (in triplicate) (pgs)	☐ Notice of Appeal							
		Application:	Petition for:							
		(pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)							
		Assignment & Cover Sheet (pgs)	Reply Brief (pgs)							
	X	Certificate of <u>Facsimile</u>	Request & Certification Under 35 USC 122(b)(2)(B)(i)							
		Continued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request							
		Declaration & POA (pgs)	Response to Notice of Missing Parts & Formalities Letter							
		Drawings: sheets, figures	Response to Written Opinion (pgs)							
		Extension of Time:	☐ Terminal Disclaimer							
	X	Fee Transmittal (in duplicate)	☐ Transmittal of Publication Fee Due							
		IDS & PTO/SB/08 (pgs)	▼ Transmittal Letter							
		Other								
	S.,	The state of the s								
CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A) I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States										

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Nehy Caldein 09/14/2004
Nedy Calderon Date

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TDAN	SMITTAL F	OPM	Application No.	09/429,262					
	-		Filing Date	October 29, 1999					
(to be used for al	l correspondence af	ter initial filing)	First Named Inventor	Ho-Jin Kweon					
			Art Unit	1745					
			Examiner Name	Dove, Tracy Mae					
Total Number of	Pages in This Submission	on 7	Attorney Docket Number	3364P021					
ENCLOSURES (check all that apply)									
Fee Transmitta	l Form	Drawlng(s)		After Allowance Communication to Group					
Fee Attac	ched	Licensing-n	elated Papers	Appeal Communication to Board of Appeals and Interferences					
Amendment/Ro	esponse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
After Fina	al v/declaration(s)	Petition to C Provisional	Convert a Application	Proprietary Information					
Extension of Tin	ne Request	Power of At Change of 0	torney, Revocation Correspondence Address	Status Letter Other Enclosure(s) (please identify below):					
Express Abando	onment Request	Terminal D	isdaimer						
	closure Statement	Request for	Refund						
Certified Copy of Document(s)		CD, Numbe	er of CD(s)						
Response to Milincomplete Appl									
,	ication c Filing Fee	Remarks							
	aration/POA	· · · · · · · · · · · · · · · · · · ·							
Response Parts und	e to Missing der 37 CFR 53								
	SIGNATUR	E OF APPLICAN	IT, ATTORNEY, OR AG	ENT					
Firm	William Thom	as Babbitt. Re	g. No. 39.591						
<i>or</i> Individual name	or William Thomas Babbitt, Reg. 140. 59,391								
Signature	Miller								
Date 9/14/04									
CERTIFICATE OF MAILING/TRANSMISSION									
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.									
Typed or printed name Nedy Calderon									
Signature	Hely	Caldein		Date 9/14/04					
sased on PTC/SB/21 (04-04) as modified by Blakely, Sofokoff, Taylor & Zafman (w/r) 06/04/2004. END TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450									

FEE TRANSMITTAL	L	Complete if Known						
for EV 2004	L	Application	n Nun	nber	09/429,262			
for FY 2004	Filing Date				October 29, 1999			
Effective 10/01/2004. Patent fees are subject to annual revision.	First Named Inventor			rentor	Ho-Jin Kweon			
Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name			В	Dove, Tracy Mae			
TOTAL AMOUNT OF PAYMENT (\$)	~	Art Unit			1745			
TOTAL AMOUNT OF PAYMENT (\$) 0.	.00	JO Attorney Docket No.			3364P021			
METHOD OF PAYMENT (check all that apply)				FE	EE CALCULATION (continued)			
S S S Norrey S S	3.	3. ADDITIONAL FEES						
☐ Check ☐ Credit card ☐ Money ☐ Other ☑ None	I nove Entity . Compl. Entity							
Deposit Account		Large Entity Small Entity Fee Fee Fee Fee						
Deposit Account 02 2666	Code	a (\$)	Code	(\$)	Fee Description Fee Pai			
Account Number 02-2666	1051 130		2051 66		Surcharge - late filing fee or cath			
Deposit Account DIA CALLOC TO 1 0 7 C TYD	1052	50	2052	25	Surcharge - tate provisional filing fee or cover sheet.			
Name Blakely, Sokoloff, Taylor & Zafman LLP	2053	2063 130		130	Non-English specification			
The Commissioner is authorized to: (check all that apply)	1812		2053 1812	2,520	For filing a request for ex parte reexamination			
Charge fee(s) Indicated below Credit any overpayments	1804	, 920 °	1804	920	* Requesting publication of SIR prior to Examiner action			
Charge any additional fee(s) or underpayment of fees as required under 37 CFR \$5.1.16, 1.17, 1.18 and 1.20.	4000	1,840		1 940 '				
Charge fee(s) indicated below, except for the filling fee	1805	, UPC, (1805	1,840	Requesting publication of SIR after Examiner action			
to the above-identified deposit account	1251	110	2251	55	Extension for repty within first month			
FEE CALCULATION	1252	420	2252	210	Extension for repty within second month			
1. BASIC FILING FEE	1253	950	2253	475	Extension for reply within third month			
Large Entity Small Entity	1254	1,480	2254	740	Extension for reply within fourth month			
Fee Fee Fee Fee <u>Fee Description.</u> Fee Paid Code (\$)	1255	2,010	2256	1,005	Extension for reply within fifth month			
1001 770 2001 385 Utility filling fee	1404	330	2401	165	Notice of Appeal			
1002 340 2002 170 Design filing fee	1402	330	2402	165	Filing a brief in support of an appeal			
1003 530 2003 265 Plant filing fee	1403	290	2403	145	Request for oral hearing			
1004 770 2004 385 Reissue fling fee	1451	1	2451	1,510	Petition to institute a public use proceeding			
1005 160 2005 80 Provisional filing fee	1452		2452	55	Petition to revive - unavoidable			
SUBTOTAL (1) (\$)	1453	i	2453	665	Petition to revive - unintentional			
2 EVTDA CI AIM FEEC	1501 1502	1,330 480	2501 2502	665 240	Utility issue fee (or refissue) Design issue fee			
2. EXTRA CLAIM FEES Extra Fee from Claims below Fee-Pati	1503	ľ	2503	320	Plant Issue fee			
Total Claims 12 20 0 x 18.00 ° \$0.00	1460	1	2460	130	Petitions to the Commissioner			
Independent 3 3 3 0 x 86.00 = \$0.00	1807	50	1807	50	Prosessing fee under 37 CFR 1.17(q)			
Multiple Dependent	1806	180	1806	180	Submission of Information Disclosure Stmt			
Large Entity Small Entity	8021	40	8021	40	Recording each patent assignment per			
Fee Fee Fee Fee Description Code (\$) Code (\$)					property (times number of properties)			
	1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))			
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1810	770	2810	385	For each additional invention to be			
1203 290 2203 145 Multiple Dependent claims if excess or 3					examined (37 CFR § 1.129(b))			
1204 86 2204 43 **Reissue independent claims over original	1801	770	2601	385	Request for Continued Examination (RCE)			
patent	1802	900	1802	900	Request for expedited examination of a design application			
1205 18 2205 9 **Reissue claims in excess of 20 and over original patent	Other f	ee (specify)						
SUBTOTAL (2) (\$) 0.00		(
SUBTOTAL (2) (\$) 0.00	* Reduced by Basic Filing Fee Paid			Paid	SUBTOTAL (3) (5)			
or namen previously part, a greater, For Neissons, see below								
SUBMITTED BY Complete (if applicable) Registration No. 20 70 2000								
Name (PrintType) William Thomas Babbitt		Attorney/Ager	10.	3	39,591 Telephone (310) 207-3800			
Signature William Bath X Date 9/14/04								

FEE TRANSMITTAL	L	Complete if Known							
						29,262			
for FY 2004						tober 29, 1999			
Effective 10/01/2004. Patent fees are subject to annual revision.		First Named Inventor				in Kweon		··	
Applicant claims small entity status. See 37 CFR 1.27.	l	Examiner Name				e, Tracy M	[ae		
TOTAL AMOUNT OF PAYMENT (\$)	$\overline{}$	Art Unit			174:				
TOTAL AMOUNT OF PAYMENT (\$) 0.	00	Attorney Docket No.				P021			
METHOD OF PAYMENT (check all that apply)					E CALCULATI	ON (continue	ed)		
Check Credit card Money Other None	3.	B. ADDITIONAL FEES Large Entity Small Entity							
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Deposit Account 02-2666	Cod	le (\$)	Code	(\$)	Fee	eDesciption		FeePati	
Number	105		2051	65	Surcharge - late filing				
Occount District Sales of Toylor & Zofman LLD	105	2 50	2052 25	25	Surcharge - late provis cover sheet.	sional filing lee or			
Account Name Blakely, Sokoloff, Taylor & Zafman LLP	205	3 130	2053	130	Non-English specificati	ion			
The Commissioner is authorized to: (check all that apply)	181		1812	2,520	For filing a request for		etion		
Charge fee(s) indicated below Credit any overpayments	180	4 820 °	1804	920	 Requesting publication Examiner action 	n of SIR prior to			
Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.	180	5 1,840 °	1805	1,840	Requesting publication	n of SIR after			
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to the above-identified deposit account	125	1 110	2251	55	Extension for repty wit				
FEE CALCULATION	125	2 420	2252	210	Extension for reply with				
1. BASIC FILING FEE	125	3 960	2253	475	Extension for reply wit				
Large Entity Small Entity Fee Fee Fee Fee Description FmcPati	125		2254	740	Extension for repty wit				
Fee Fee Fee Fee Description Fee Paid Code (\$)	125		2255	1,005	Extension for reply wit	min min monun			
1001 770 2001 385 Utility filing fee	140		2401	155	Notice of Appeal	+ - f 1			
1002 340 2002 170 Design filing fee	140		2402	165	Filling a brief in suppor	• • • • • • • • • • • • • • • • • • • •			
1003 530 2003 265 Plant filing fee	140		2403	145	Request for oral heari Petition to institute a p		.		
1004 770 2004 385 Raissue filing fee	145		2451	1,510 55	Petition to revive - una		9	<u> </u>	
1005 160 2005 80 Provisional filing fee	145 145	-	2452	665	Petition to revive - uni				
SUBTOTAL (1) (5)	150		2501	665	Utility issue fee (or rei	<u></u>			
2. EXTRA CLAIM FEES Extra Fee from	150	•	2502	240	Design issue fee	·			
2. EXTRA CLAIM FEES Edra Fee from Claims below FeePad	150	3 640	2503	320	Plant issue fee				
Total Claims 12 20 = 0 x 18.00 = \$0.00	148	130	2460	130	Petitions to the Como	nissioner			
Independent 3 3 3 3 0 x 86.00 = \$0.00	180	7 50	1807	50	Prosessing fee under	37 CFR 1.17(q)			
Multiple Dependent =	180	8 180	1806	180	Submission of Inform	ation Disclosure St	mt		
Large Entity Small Entity	802	1 40	8021	40	Recording each pater property (times numb				
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0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	180	9 770	1809	385	(37 CFR § 1.129(a))	in an injuduoii			
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	181	0 770	2810	385	For each additional in	vention to be			
1203 290 2203 145 Multiple Dependent claim, if not paid			l		examined (37 CFR §		- \	<u> </u>	
1204 86 2204 43 "Reissue independent daims over original patent	180		2801		 Request for Continued Request for expedited 		-,		
	180	2 900	1802	900	of a design application				
1205 18 2206 9 "Reissue claims in excess of 20 and over original patent	Othe	r fee (specify)							
SUBTOTAL (2) (\$) 0.00									
**or number previously paid, if greater, For Relssues, see below	* Redu	road by Basic F	iling Fee	Paid	:	SUBTOTAL (3)	(\$)		
SUBMITTED BY	Registration	n No.		20.501	i i				
Name (PrintType) William Thomas Babbitt		(Attorney/Agent) 39,591			39,591	Telephone	(310) 20	1-3000	
Signature William Bath		-				Date	9/14/	04	

Attorney's Docket No.: 003364.P021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner: Dove, T.

Art Group: 1745

SEP 1 4 2004

Ho-Jin Kweon, et al.

In re Application for:

Serial No.: 09/429,262

Filed: October 29, 1999

For: POSITIVE ACTIVE MATERIAL FOR

RECHARGEABLE LITHIUM BATTERY AND METHOD OF PREPARING SAME

SUPPLEMENTAL RESPONSE TO OFFICE ACTION

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office communication dated September 3, 2004, Applicants respectfully request entry of the following amendment.